

Defendants' motion was a surprise filing preceding the mandatory mediation set by the Sixth Circuit Court of Appeals for Plaintiff's appeal of this Court's order. (Doc. 136). It is a completely baseless motion and an obvious attempt to force Plaintiff to withdraw his appeal.

Plaintiff certifies they conferred with local counsel on January 18, 2023, regarding the issue raised in this Motion. Defendants admit they never attempted to contact counsel for the Plaintiff regarding these issues yet refused to strike their motion. Plaintiffs should be able to present their case to Defendants who in good faith should consider the opposing view of this motion before wasting judicial resources and running up fees on both sides before the filing of this Motion. This is the purpose of Local Rule 7.01; however, again, as demonstrated throughout this litigation- this Defendants feel unconstrained by the orders and rules of the Court.

As a result of Defendants' violation of Local Rule 7.01(a)(1), Plaintiff requests the Court strike their motion for attorney's fees and related non-taxable expenses. Plaintiff's original date to reply to Defendants motion is January 26, 2024. However, Plaintiff requests the court suspend this deadline until this motion to strike is resolved.

Respectfully Submitted,

THE EMPLOYMENT & CONSUMER LAW GROUP,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was served via electronic mail this 19th day of January, 2024 to the following:

Leslie Goff Sanders (TN #18973)
Daniel Crowell (TN #31485)
Stephen Stovall (TN #37002)

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